

BANKRUPTCY CASE OPENING

This docketing procedure gives directions on how to electronically file a new bankruptcy case under any chapter or a proceeding ancillary to a foreign bankruptcy case [See 11 USC § 304] It is not used to open an adversary proceeding.

STEPS:

1. **Login** to CM/ECF – See procedure in preceding section.
2. Click on the **Bankruptcy** hyperlink link on the **CM/ECF MAIN MENU BAR**



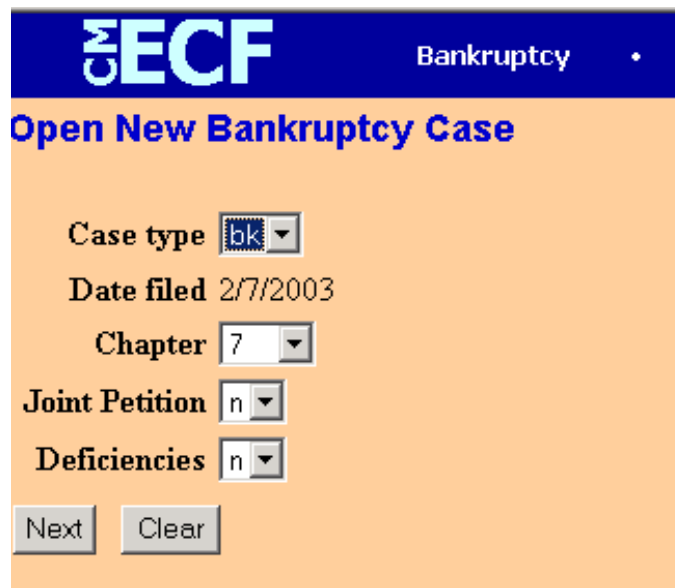
The **BANKRUPTCY EVENTS MENU** displays

3. Click on the **Open BK Case** hyperlink.



4. The **CASE DATA SCREEN** displays

June 1, 2003



Note: The **Case Number** will be assigned automatically when the case opening process is completed.

- A The case type is always **bk**
- B The chapter number defaults to **7**. If you wish to file a case under another chapter, click on the down arrow and select correct chapter. **304** designates a case ancillary to a foreign proceeding [Section 304 of the Bankruptcy Code].
- C The default in the **Joint Petition** box is **n** for no. If the case is a joint filing, Click on the drop down arrow in the **Joint Petition** box, then click on **y** (yes) to select.
- D **Deficiencies**. You will be asked in a later screen if any of the following are not being filed with the petition: The social security number or Tax ID number of the debtor [if any], Schedules A-J or any of them, the Statement of Financial Affairs, the Attorney Disclosure, the Chapter 13 Plan, the list of 20 largest creditors, or the list of equity security holders. If you intend to file some or all of these documents at a later date, then change the **n** to a **y**. You will enter in the deficiencies in a later screen.
- E Click on the **Next** button to continue. Click on **Clear** button if you have made a mistake and wish to clear the information and start over.

5. The next step is to search for the debtor(s) to find out if the debtor[s] are already in our database.

The **SEARCH FOR A PARTY SCREEN** displays

The screenshot shows the 'Open New Bankruptcy Case' search interface. At the top is a blue header with the 'ECF' logo and the words 'Bankruptcy' and 'Adversary'. Below the header, the title 'Open New Bankruptcy Case' is displayed in blue. The search area has an orange background and contains the text 'Search for a party'. There are three input fields: 'SSN', 'Tax Id', and 'Last/Business name'. Below these fields are two buttons: 'Search' and 'Clear'.

- C CM/ECF searches are not key word searches but require exact text matches. [However, if you are searching for Stevenson and enter Stevens, you will get all names which start with Stevens, including all Stevenson]. This search is not case sensitive. When searching for debtors, the more search clues you provide, the more likely you are to find the exact person you are searching for. For example, if you search for a last name of Grant, CM/ECF may return a list of a hundred parties with that last name. However, if you search for a last name of Grant with a Social Security number of 111-22-3333, CM/ECF will return a single party.

If you know the social security number of the debtor, click in the **SSN** box and type in the debtor's social security number with hyphens. If you know the debtor's federal tax identification number, click in the **Tax Id** box and type in the debtor's tax identification number with hyphens.

- C Enter the debtor's last name or the name of the business. Click on the **Search** button to continue.

If there are matching names in the database, a list of names will appear in a dialog box. If you click on a name in that list, it will display the full name, social security number and address of the party. If the name is an exact match to the name and social security number of the debtor, then select that party by clicking on the button which says **Select Name from List**. It does not matter if the person or business has moved to a new address. You can add the new information in the next screen. If none of the names match, then click on the button which says **Create New Party**. If you find that the correct person or business is listed in the database but the name does not exactly match the one you are using on your petition, then add the person or business as a new party in any.

In virtually all cases (when a new debtor is being added) the search will not be successful and a **No Person Found** message will display. [See screen on next page]

ECF Bankruptcy

Search for a party

SSN

Last/Business name

Party search results

No person found.

6. Click on the **Create New Party** button to continue.

The **PARTY INFORMATION SCREEN** displays

ECF Bankruptcy • Adversary • Query • Reports

Party Information

Last name First name

Middle name Generation Title

SSN 222-11-1234 Tax ID

Office Address 1

Address 2 Address 3

City State Zip

County Country

Phone Fax

E-mail

ProSe no Role blank (blank)

Party text

Add all aliases before clicking the Submit button.

7. Fill in the information required in this box for the debtor.
Click in the appropriate box to make an entry.

- A If the debtor is an **individual**, enter the first name, middle initial and generation (if applicable). If a business, type in the entire name in the **Last Name** box.
- B Do **not** type anything into the **TITLE** box (leave it blank).
- C Type in the debtors mailing address.
- D Type in the standard state abbreviation in capital letters [A list is in the Style Guide]
- E Select the appropriate **County**.
- F You are **not** required to give us the telephone number and the email address of the debtor. Note that this information will be available to both CM/ECF registered users and also to PACER users.
- G The Role box will always display as “blank.” Click on the down arrow to display the role types. Click on the role type and make sure that this box displays the correct party type. Note that there is a role for the **Debtor** and a separate role for the **Joint Debtor**.
- H If the Debtor has an alias, click the **Alias** button and complete the screen. This is used to add alternative versions of the same name [e.g., Michael J. Smith if used commonly by Michael James Smith] , for entering the name which the debtor is using as a business name [e.g. Smith Distributing if this is a d/b/a of Michael James Smith], or the maiden name or prior married name of someone who used another married name within the last 6 years [e.g., Alicia Wong if this was the given name of Alicia Wong Shimoto before her marriage]. The Information Regarding Debtor Screen will reappear.
- I When all data is complete, click the **Submit** button.
- J. **Party Text Box** – This is not normally used. It is used to add needed description that goes beyond the name of the debtor. For instance, if the debtor is a corporation registered in Maryland, then you would type in XYZ, Inc. for the name of the debtor and then put “ a Maryland Corporation” in the party text box.

Note! If you are entering in a case for joint debtors, you will be prompted to enter party information for the joint debtor. Be sure and pick **Joint Debtor** as the role of this person from the **ROLE** box. You may select “Copy Previous Party’s Address” if the address is the same for both parties.

8. You will now be asked to provide statistical information concerning this case.

The **OPEN NEW BANKRUPTCY CASE** information screen displays.

ECF Bankruptcy • Adversary • Query • Reports • Utilities •

Open New Bankruptcy Case

Type of debtor ☒ Individual ☐ Corporation ☐ Partnership ☐ Other
☐ Railroad ☐ Stockbroker ☐ Commodity Broker

Fee status Paid ▾

Nature of debt consumer ▾

Voluntary Voluntary ▾

Origin Original ▾

Date split/transfer

Asset notice No ▾

Estimated number of creditors 1-15 ▾

Estimated assets \$0-\$50,000 ▾

Estimated debts 1 \$0-\$50,000 ▾

Next Clear

- A Select the **Type of Debtor** by clicking inside the appropriate check box(s).
- C More than one selection is possible but select only one.
- B The default in the **Fee Status** box is **paid**.
- C If the fee is to be paid in installments, Click the drop down arrow in the **Fee Status** box then Click “**installment**”
- C The default in the **Nature of Debt** box is **consumer**.
- C If the selection should be **business**, Click the drop down arrow in the **Nature of Debt** box then Click **business** to select.
- D The default in the **Voluntary** box is **voluntary**.
- C If the selection should be **involuntary**, Click the drop down arrow in the **Voluntary** box then Click **involuntary** to select.
- E The default in the **Origin** box is **original**.
- C If the selection should not be **original**, Click the drop down arrow in the **Origin** box then Click to select the correct origin.
- F The default in the **Date Split/Transfer** box is blank.

- C Do not enter anything in this box. If a case is being split or transferred to the court it will be done by court staff.
- G The default in the **Asset Notice** is **no**.
- C All Chapter **7** cases are filed as **no** asset cases at the time of case opening. **All Chapter 11, 12 and 13 cases** are considered asset cases. Please change designation to **yes** for these chapters.
- H The default in the **Estimated Number of Creditors** is **1**.
- C If the selection should be another number, Click the drop down arrow in the **Estimated Number of Creditors** box then Click to select another number.
- I The default in the **Estimated Assets** is **1**.
- C If the selection should be another number, Click the drop down arrow in the **Estimated Asset** box then Click to select another number.
- J The default in the **Estimated Debts** is **1**.
- C If the selection should be another number, Click the drop down arrow in the **Estimated Debts** box then Click to select another number.

NOTE: If the case is a Chapter 11, it is necessary to indicate whether or not the debtor is a small business as defined in 11 USC § 101(51C)

9. After making the appropriate selections, click the **Next** button.

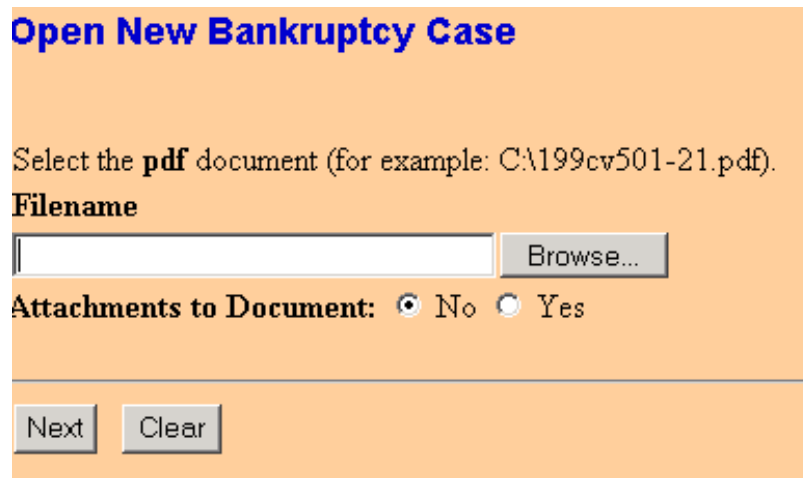
The **DEFICIENCY LIST** screen appears.

[Note! This is the list for a chapter 7 case. A different list would appear for a chapter 13 or a chapter 11 case.]

The screenshot shows the ECF Bankruptcy interface. At the top, there is a blue header with the ECF logo and the word 'Bankruptcy'. Below the header, the title 'Open New Bankruptcy Case' is displayed in blue. The main section is titled 'Deficiency List' and contains a list of items with checkboxes, each preceded by a small orange square icon. The items are: SSN/Tax ID, Schedules A-J, Schedule A, Schedule B, Schedule C, Schedule D, Schedule E, Schedule F, Schedule G, Schedule H, Schedule I, Schedule J, Stmt. of Fin. Affairs, and Atty Disclosure Stmt. Below the list are two buttons: 'Next' and 'Clear'.

10. Check each document on this list which is not being filed with the petition. **NOTE!** Most of the items on this list are not due for 15 days after the petition is filed. Although, they are not yet delinquent, they will appear on a notice which will be mailed to the debtor which will state when they are due. Click **NEXT**

The **BROWSE FOR A DOCUMENT SCREEN** Appears



- A This is the screen in which the PDF document is attached to the docket entry being created.
 - B Click Browse to find the document you have created and named. The document would normally consist of the Petition, Schedules [A-J] the Summary of Schedules and Statement of Financial Affairs, and List of Creditors [or PDF copy of the mailing matrix]. The preferred order of documents is: voluntary petition, schedules, summary of schedules, statement of financial affairs, list of creditors].
 - C We strongly recommend that at this point you right click on the file name to open the document. This will launch **Adobe Reader** so that you can verify that you have attached the correct document.
 - D Double Click on the file or click once and then click “open”. The document file name will appear in the browser box. The attachment box defaults to **no**. We request that attorneys prepare the petition, schedules, statement of affairs and other documents usually filed together to open a case [with the exception of the chapter 13 plan which must be filed separately] as a single PDF file.
- 12 Click **NEXT**.
- 13 A message now will appear telling you that a filing fee is due and that it must be paid by credit card payment. The payment screen will appear later, after the case is filed. **Note!** If you wish to pay one installment of a filing fee, you must enter the amount of this

payment on this screen. If you failed to change the fee status from Paid to Installment on the New Case Information Screen previously [See section 8 above], then you will not be able to enter any amount in this field. The full filing fee will display and that will be the only option for payment. You may go back to this screen and change the Fee Status box at this point if you need to do so.

If you did not file all of the documents which are due with the petition or within 15 days of filing, then you will now get a screen which will tell you the incomplete filings due date. click on **NEXT**. You may now get a blank screen. Click **NEXT**

The **FINAL DOCKET TEXT** screen appears

Open New Bankruptcy Case

Docket Text: Final Text

Chapter 7 Voluntary Petition, Without All Required Schedules/Statements. Documents Due: SSN/TaxID due 2/25/2003. Schedule C due 2/25/2003. Schedule D due 2/25/2003. Attorney Disclosure Statement due by 2/25/2003. Incomplete Filings due by 2/25/2003. Receipt Number cc, Fee Amount \$200 Filed by Robert Lewis Long II, Mary Lynne Long. (Attorney, MVA)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

Next Clear

- A You have a final opportunity to review the docket text and make necessary changes before submitting it to the court.
- B **Note!** Use the **Back** button to correct an entry if necessary. You must back up to the screen where the incorrect information was entered, make the changes, and then continue through the screens until you reach this point. The actual text of this screen cannot be modified by deleting text and then re-entering new text.

15 Click **NEXT**.

The following screen which displays the filing fee(s) due for cases filed that day will display.

Electronic Payment - Microsoft Internet Explorer

Summary of current charges:

Date Incurred	Description	Amount
2003-03-13 13:26:49	Voluntary Petition (Chapter 7)(03-50216) [misc,volp7a] (200.00)	\$ 200.00
2003-03-18 09:57:40	Voluntary Petition (Chapter 7)(03-50231) [misc,volp7a] (200.00)	\$ 200.00
2003-03-18 10:00:15	Voluntary Petition (Chapter 7)(03-50232) [misc,volp7a] (200.00)	\$ 200.00
2003-03-19 09:01:57	Voluntary Petition (Chapter 7)(03-50235) [misc,volp7a] (200.00)	\$ 200.00
		Total: \$ 800.00

Pay Now Continue Filing

If you are finished filing cases and wish to make payment for the cases filed, you should click, **Pay Now**. If not, you should click on **Continue Filing**.

If you click on the **Pay Now** button you will get the following screen.

When the payment information is entered, click on **Submit Payment**.

The **NOTICE OF ELECTRONIC FILING SCREEN** displays

- A Note the new case number assigned by CM/ECF.
- B. If you click on the **Notice of Bankruptcy Case Filing** hyperlink, a notice of filing is displayed which can be printed and used as a notice of stay to stop creditor actions.
- C If you click on the **Case Number** hypertext link, the docket report for the new case will display. You may wish to print this screen for your file.

PROCEDURE FOR UPLOADING THE MAILING MATRIX

16. You must now **upload the creditor mailing matrix** that you prepared previously. Directions for creating a creditor matrix as a text [.txt] file were given in this Guide. Here is the procedure for uploading this file:

- A Click on **BANKRUPTCY** in the CM/ECF Blue Status Bar. Then click on **CREDITOR MAINTENANCE**.
- C Click on **UPLOAD A CREDITOR MATRIX FILE**
- D The screen on the next page appears:

The screenshot shows the CM/ECF interface. At the top is a blue navigation bar with the 'ECF' logo and links for 'Bankruptcy', 'Adversary', 'Query', and 'Reports'. Below this is a section titled 'Creditor Processing - Upload a File Method'. It features a 'Case Number' label above a text input field. To the right of the input field, sample case numbers are provided: '99-12345, 1:99-bk-12345 or 1-99-bk-12345'. At the bottom of the section are two buttons: 'Next' and 'Clear'.

- E Enter the case number of the case in the yy-nnnnn format. [e.g., 03-00076]
Click **NEXT**
- F The following screen appears:

The screenshot shows a screen titled 'Load Creditor Information'. It displays 'Case number 1-03-bk-50196'. Below this, it prompts the user to 'Enter name of file and click on Next', with an example: 'Example: c:\creditor.scn'. There is a text input field containing 'D:\myfiles\Lists\LongMatrix.txt' and a 'Browse...' button to its right. At the bottom are 'Next' and 'Clear' buttons.

- G Either type in the name and path of the file or use the **BROWSE** button to find and select the file. We recommend that you open the file to make sure it is the correct file which you are attaching. If it is, Click **NEXT**.
- H The following screen is displayed:



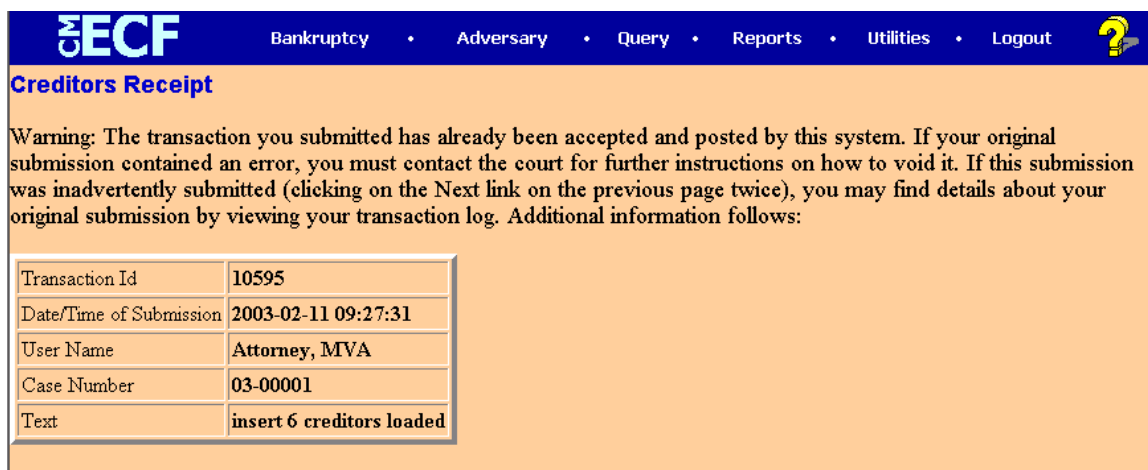
ECF Bankruptcy • Adversary • Query • Reports

Add Creditor(s)

Total Creditors Entered 6

Submit

- I If the total number of creditors entered is the same as the total number of creditors submitted on the matrix, click **SUBMIT** to continue. If the number is NOT correct then exit from the creditor upload procedure and check your mailing matrix to make sure that the formatting is correct. See directions for creation of a mailing matrix in the information above.
- J The following screen should now be displayed:



ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

Creditors Receipt

Warning: The transaction you submitted has already been accepted and posted by this system. If your original submission contained an error, you must contact the court for further instructions on how to void it. If this submission was inadvertently submitted (clicking on the Next link on the previous page twice), you may find details about your original submission by viewing your transaction log. Additional information follows:

Transaction Id	10595
Date/Time of Submission	2003-02-11 09:27:31
User Name	Attorney, MVA
Case Number	03-00001
Text	insert 6 creditors loaded

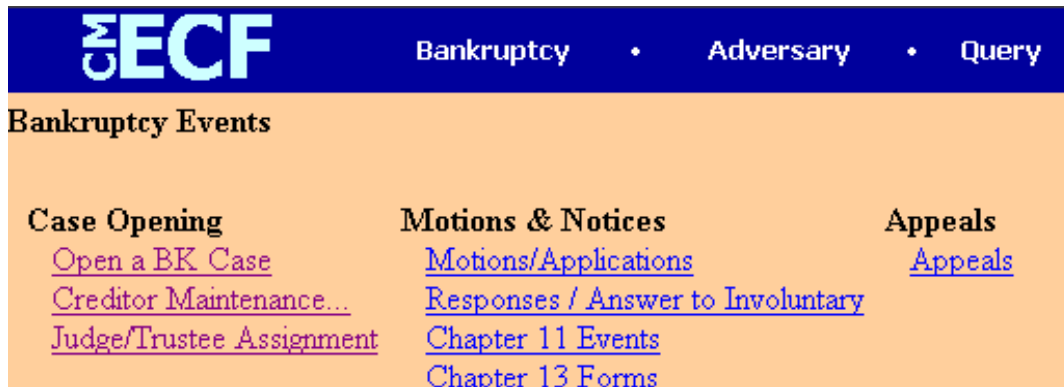
- K This screen confirms the uploading of the creditor matrix.

ASSIGNMENT OF JUDGE AND TRUSTEE PROCEDURE

17. The final step for filing the case is to run the **Judge/Trustee Assignment** program.

- A Click on the **Bankruptcy** hypertext link on the **CM/ECF MAIN MENU BAR**

You will get this Screen:



- B Click on **Judge/Trustee Assignment** and the system automatically assigns the following:
- C The **judge** for all chapters
 - C The **trustee** for chapter 7 and 13
 - C The **first meeting date, time and location** for chapter 7 and 13 cases.
- C. This information is displayed on the screen.

Note! The selection of the trustee, the time of the 341 meeting, and the date of the first meeting are done automatically and there is no opportunity to pick a trustee or a specific time or date for a first meeting.

If you feel that specific trustee should be assigned to a bankruptcy case which you are filing [e.g., the trustee is already handling a related case] or if the debtors will not be available for a specific time period in the future, you should contact the Office of the US Trustee in advance of filing the case [808-522-8150] and find out whether they agree that a specific trustee, and or time and date of the 341 meeting should be set. If they consent, you may file the case and upload the matrix but do not run the Trustee/Judge Assignment program. Fax the clerk a letter [808-522-8120] stating what has been agreed upon, and when court staff reviews the case, we will enter the trustee and first meeting date as indicated. If you do not have time to contact the US Trustee before filing the case, fax us a letter stating that you intend to do so.

Your case is now completely filed.